

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

|                                   |   |                                 |
|-----------------------------------|---|---------------------------------|
| Chemoil Middle East DMCC,         | § |                                 |
|                                   | § |                                 |
| Plaintiff,                        | § |                                 |
|                                   | § | CIVIL ACTION <u>5:14-cv-962</u> |
| v.                                | § |                                 |
|                                   | § | <b><u>IN ADMIRALTY</u></b>      |
| Gulf Marine Management S.A.,      | § |                                 |
|                                   | § |                                 |
| and                               | § |                                 |
|                                   | § |                                 |
| Chloe Navigation Ltd.             | § |                                 |
|                                   | § |                                 |
| Defendants,                       | § |                                 |
|                                   | § |                                 |
| and                               | § |                                 |
|                                   | § |                                 |
| Tesoro Far East Maritime Company, | § |                                 |
|                                   | § |                                 |
| Garnishee.                        | § |                                 |

**MOTION AND MEMORANDUM FOR APPOINTMENT  
OF SERVICE OF WRIT OF MARITIME ATTACHMENT AND GARNISHMENT**

Plaintiff Chemoil Middle East DMCC (“Chemoil”) moves, pursuant to Supplemental Rule B(1)(d)(ii), for an Order appointing J. Stephen Simms, or any other qualified person appointed by him, to serve process of maritime garnishment, and any supplemental process in this matter.

Supplemental Rule B(1)(d)(ii) provides in pertinent part as follows:

(ii) If the property is other tangible or intangible property, the summons, process, and any supplemental process must be delivered to a person or organization authorized to serve it, who may be (A) a marshal; (B) someone under contract with the United States; (C) **someone specially appointed by the court for that purpose**; or, (D) in an action brought by the United States, any officer or employee of the United States.

(Emphasis added).

As further grounds for this motion, Chemoil states that service of the maritime garnishment writs issued in this case will be straightforward, on garnishees located in this District. Utilizing private process service will conserve the resources of the United States Marshal.

Chemoil will, upon service, promptly cause returns of service to be filed in this case.

WHEREFORE, Chemoil respectfully request this Court to grant this motion and herewith submits a draft order.

Dated: October 31, 2014.

/s/ J. Stephen Simms

J. Stephen Simms

John T. Ward

Marios J. Monopolis

(pro hac motions to be filed)

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